

E-Filed 10/8/10

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21 Attorneys for Plaintiff, KENT WARD

22 IN THE UNITED STATES DISTRICT COURT

23 NORTHERN DISTRICT OF CALIFORNIA

24 SAN FRANCISCO DIVISION

25 KENT WARD,) Case No. CV 09-04565 RS
 26 Plaintiff,)
 27 v.) **STIPULATION AND [PROPOSED**
 28 EQUILON ENTERPRISES, LLC, SHELL OIL) **ORDER] TO EXTEND DISCOVERY AND**
 29 PRODUCTS COMPANY LLC AND DOES 1) **MEDIATION DEADLINES AND TO**
 30 TO 50, inclusive,) **RESCHEDULE FURTHER CASE**
 31 Defendants.) **MANAGEMENT CONFERENCE**
 32) **[Civ. L.R. 6-1(b) 6-2]**
 33) **Trial Date: None**
 34)

35 Pursuant to Civil Local Rule 6-1(b) and 6-2 of the United States District Court for the
 36 Northern District of California, it is hereby stipulated by and between Plaintiff Kent Ward and
 37 Defendants Equilon Enterprises, LLC (“Equilon”) and Shell Oil Products Company LLC
 38 (“Shell”), by and through their respective counsel of record, as follows:

1 1) All discovery deadlines set forth in this Court's April 8, 2010 Case Management
2 Scheduling Order shall be continued by a period of 90 (ninety) days.
3 2) All expert discovery deadlines set forth in this Court's April 8, 2010 Case Management
4 Scheduling Order shall be continued by a period of 90 (ninety) days;
5 2) The current mediation deadline shall be extended by 90 days; and
6 3) The January 13, 2011 Further Case Management Conference shall be rescheduled for
7 April 14, 2011 at 10:00 a.m., or as soon thereafter as counsel may be heard, in the Courtroom of
8 the Honorable Richard Seeborg, Courtroom 3, 17th Floor, United States Courthouse, 450 Golden
9 Gate Avenue, San Francisco, California. The parties shall file a Joint Case Management
10 Statement on or before April 7, 2011.

11 The reason for this Stipulation is that the parties encountered difficulty scheduling
12 depositions, including those of key third party witnesses, and require additional time to locate
13 certain third party witnesses, and also to schedule and complete all necessary depositions. In
14 addition, at a deposition conducted on October 6, 2010, a dispute arose between the parties
15 concerning the application of the attorney-client privilege and attorney work product doctrine to
16 an investigation that was conducted after the subject incident, and additional time is required to
17 resolve this dispute by motion practice.

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1 This is the first stipulated time modification in this case. No trial date has been set, so this
2 extension will not require that a trial date be rescheduled, but it will require that the Further Case
3 Management Conference currently set for January 13, 2011 be rescheduled.

4 IT IS SO STIPULATED.

5 || Date: October 8, 2010

DAVIS WRIGHT TREMAINE LLP

By: _____ /s/
JOSEPH E. ADDIEGO III

Attorneys for Defendants EQUILON ENTERPRISES LLC,
and SHELL OIL PRODUCTS COMPANY LLC

IT IS SO STIPULATED

13 || Date: October 8, 2010

JONES, CLIFFORD, JOHNSON, DEHNER, WONG,
MORRISON, SHEPPARD & BELL, LLP

By: _____ /s/
STEGER P. JOHNSON

Attorneys for Plaintiff KENT WARD

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ORDER

Pursuant to stipulation, the foregoing is approved and IT IS SO ORDERED.

3 IT IS FURTHER ORDERED that the January 13, 2011 Further Case Management
4 Conference shall be rescheduled to April 14, 2011. The parties shall file a Joint Case Management
5 Statement on or before April 7, 2011.

7 || DATED: October 8, 2010.

THE HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT JUDGE

DAVIS WRIGHT TREMAINE LLP